

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

**BOBBIE WARREN, Individually and as
Administrator for the Estate of
PATRICK WARREN, SR.,
Plaintiffs,**

v.

REYANLDO CONTRERAS, et al,
Defendants.

6:22-CV-01296-ADA-JCM

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Before the Court is the Report and Recommendation of United States Magistrate Judge Jeffrey C. Manske. ECF No. 10. The report recommends that The City of Killeen's Motion to Dismiss under Rule 12(b)(6), ECF No. 9, be **GRANTED**. *Id.* The report and recommendation was filed on April 18, 2023.

A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing *de novo* review by the district court. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). As of today, neither party has filed objections.

When no objections are timely filed, a district court reviews the magistrate judge’s report and recommendation for clear error. *See* Fed. R. Civ. P. 72 advisory committee’s note (“When no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”). The Court has reviewed the report and recommendation and finds no clear error.

IT IS THEREFORE ORDERED that the Report and Recommendation of United States Magistrate Judge Manske (ECF No. 10) is **ADOPTED**.

IT IS FINALLY ORDERED the The City of Killeen's Motion to Dismiss under Rule 12(b)(6), ECF No. 9, is **GRANTED** in accordance with the Report and Recommendation. The City of Killeen is hereby **DISMISSED** from the above captioned case.

SIGNED this 1st day of August, 2023.



ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE